

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 14 January 2008**

**OALJ Case No.: 2008-TLC-00008**  
**ETA Case No.: C-07333-06889**

*In the Matter of*

**GIUMARRA VINEYARDS,**  
*Employer.*

Certifying Officer: Marie C. Gonzalez  
Chicago Processing Center

Appearances: Ronald H. Bonaparte, Esquire  
Los Angeles, California  
*For the Employer*

R. Peter Nessen, Esquire  
Office of the Solicitor  
Division of Employment and Training Legal Services  
Washington, DC  
*For the Certifying Officer*

**ORDER DISMISSING APPEAL**

On December 27, 2007, the Office of Administrative Law Judges received the Employer's request for a hearing on the denial of its H-2A application for temporary alien labor certification in the above-referenced matter. *See* 20 C.F.R. Part 655, Subpart B. On January 11, 2007, the Employer submitted a letter stating that it has decided, following conversation with counsel for the Certifying Officer, not to go forward with the appeal in this matter. Rather, it will abandon the above-referenced application and submit a new application. The Employer's motion is **GRANTED** and the matter is hereby **DISMISSED**.

**SO ORDERED.**

**A**

**JOHN M. VITTONE**  
Chief Administrative Law Judge